IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP NO.13622 of 2006

DATE OF DECISION: August 29, 2006

Darshan Singh Sivia

….Petitioner

VERSUS

Union of India and another

…..Respondents

CORAM:- HON'BLE MR. JUSTICE VINEY MITTAL
HON'BLE MR. JUSTICE H.S.BHALLA

PRESENT: Shri B.S.Dhillon, Advocate for the petitioner.

Viney Mittal,J.(Oral).

Notice of motion to the respondents.

On the asking of Court, Shri Rajeev Sharma, Standing Counsel for the Union of India accepts notice on behalf of the respondents.

Copies of the writ petition have been supplied to the learned counsel for the respondents.

The petitioner has approached this Court for issuance of directions to the respondents to issue a passport to the petitioner. According to the petitioner, the aforesaid passport had not been released by the respondents on the ground that a criminal case was pending against the petitioner. However, the petitioner has appended a copy of the judgment dated March 3,1989 (Annexure P.3) whereby the petitioner has been acquired of the criminal charges against him.

From the perusal of the record, we find that before approaching this Court, the petitioner has not filed any representation/application seeking the necessary relief from the respondent authorities.

Consequently, we dispose of the present petition with a liberty to the petitioner to file a detailed and comprehensive representation by appending copy of the judgment dated March 3,1989 passed by the criminal court. If any such application is received by the Regional Passport Officer, Chandigarh, respondent No.2, then appropriate action in accordance with law shall be taken within a period of four months thereafter.

A copy of the order be given dasti on payment of usual charges.

(Viney Mittal)
Judge

August 29,2006
KD

(H.S. Bhalla)
Judge